

Division of Solid and Hazardous Waste  
P.O. Box 414  
Trenton, NJ 08625-0414  
Tel. #609-984-6880  
Fax. #609-777-0769

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Douglas Ruhlin  
Resource Management Associates, Inc.  
P.O. Box 512  
Forked River, NJ 08731-0512

RE: General Class B Recycling Center Renewal  
The Walter R. Earle Corporation  
Jackson Township, Ocean County  
Facility No. 1511001282

Dear Mr. Ruhlin:

Enclosed is a renewal of the recycling center approval for the operation of the above referenced facility. Please note that this Approval is valid for a period of five (5) years from the original expiration date, subject to the requirements of N.J.A.C. 7:26A-3.12.

Conditions have been incorporated within this Approval that must be complied with in order for it to remain valid. In addition, Conditions A.1.d, A.2.b.ii, and B.1 have been modified in accordance with your modification request of March 15, 1999. Conditions C.2, C.7, C.11, C.12, C.23, and C.27 have been added and/or updated. These are conditions that are currently being included in all Class B Approvals.

The Department will consider amendment or modification of the specific terms of the conditions of this Approval if a written request is submitted by certified mail within twenty (20) days of receipt of this Approval. Said written request must clearly state the proposed amendment or modification, and the factual basis for the request. This Approval is non-transferable.

If you have any questions regarding this matter, please contact Robin Heston of my staff at (609) 984-6650.

Sincerely,

Thomas Sherman  
Assistant Director  
Office of Permitting  
and Technical Programs

TS:RH  
Enclosure

c: Rai Belonzi, Chief, Bureau of Compliance & Enforcement, w/enc.  
Brian Petitt, Bureau of Compliance & Enforcement, w/enc.  
Alan Avery, Ocean County Solid Waste Coordinator, w/enc.  
John Haas, Ocean County Recycling Coordinator, w/enc.  
Municipal Clerk, Jackson Township, w/enc.  
Health Officer, Ocean County Health Department, w/enc.

Division of Solid Waste Management  
P.O. Box 414  
Trenton, NJ 08625-0414  
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**RECYCLING CENTER  
GENERAL APPROVAL CONDITIONS  
FOR RECEIPT, STORAGE, PROCESSING OR TRANSFER  
OF CLASS B RECYCLABLE MATERIALS**

Under the provision of N.J.S.A. 13:1E-1 et seq. and N.J.S.A. 13:1E-99.11 et seq., known as the Solid Waste Management Act and the New Jersey Statewide Mandatory Source Separation and Recycling Act, respectively, and pursuant to N.J.A.C. 7:26A-1 et seq., known as the Recycling Regulations, this Approval is hereby issued to:

**THE WALTER R. EARLE CORPORATION**

MUNICIPALITY:	<u>Jackson Township</u>
BLOCK NO.(S):	<u>13.01</u>
LOT NO.(S):	<u>1</u>
COUNTY:	<u>Ocean</u>
CAPACITY:	<u>5,000 Tons Per Day</u>
RECYCLING CENTER NUMBER:	<u>1511001282</u>
APPROVAL EXPIRATION DATE:	<u>October 3, 2004</u>

This Approval is subject to compliance with all conditions specified herein and all regulations promulgated by the Department of Environmental Protection or as may be amended in the future. All references to specific regulations include any future amendments thereto.

This Approval shall not prejudice any claim the State may have to riparian land, nor does it allow The Walter R. Earle Corporation or its principals to fill or alter, in any way, lands that are deemed to be riparian, wetlands, stream encroachment areas or flood plains, or that are within the Coastal Area Facility Review Act (CAFRA) Zone or are subject to the Pinelands Protection Act of 1979, nor shall it allow the discharge of pollutants to waters of this State without prior acquisition of the necessary grants, permits, or approvals from the Department of Environmental Protection.

Compliance with the terms of this Approval does not relieve the Walter R. Earle Corporation or its principals of the obligation to comply with all applicable local, state and federal statutes, rules and other permits.

Failure to comply with all the conditions specified herein may result in revocation of this Approval and/or may result in other regulatory or legal actions which the Department is authorized to institute by law.

This Approval shall be effective for not more than five (5) years. An Approval renewal shall be obtained from the Department prior to any activities which are to occur after the expiration of this Approval. In applying for a renewal, applicants shall follow the renewal submission requirements and procedures set forth in N.J.A.C. 7:26A-3.6.

This Approval is non-transferrable, except as set forth in N.J.A.C. 7:26A-3.15.

October 3, 1994  
Director  
Original Issuance Date

January 24, 2000  
Renewal Date

October 3, 2004  
Expiration Date

Signed by Thomas Sherman, Assistant

Thomas Sherman  
Assistant Director  
Office of Permitting &  
Technical Programs

**Recycling Center General Approval**  
**for**  
**THE WALTER R. EARLE CORPORATION**

A. AUTHORIZED RECYCLABLE MATERIALS

1. Permitted Class B Recyclable Materials

The following source separated Class B recyclable materials which have been separated at the point of generation from other waste materials or separated at a permitted solid waste facility authorized to separate recyclable materials may be received, stored, processed or transferred at this facility:

Non-hazardous petroleum contaminated soils (ID 27)

- a. Only soil contaminated with the following compounds shall be accepted and processed at this facility: gasoline, kerosene, jet fuel, Numbers 1 through 6 fuel oil, and used oil. Used oil shall be defined as any oil that has been refined from crude oil, or any synthetic oil, that has been used and as a result of such use is contaminated by physical or chemical impurities. No soils may be accepted that have been contaminated with materials that are other waste materials, or waste by-products, such as sludges.
- b. No soils with free petroleum product or other liquids, as determined by USEPA SW-846, Method 9095, Chapter 6.0, shall be accepted at the facility.
- c. No hazardous waste, as defined by N.J.A.C. 7:26G-5, shall be accepted by the facility.
- d. Soils that are contaminated with Numbers 1 through 6 fuel oil, resulting from home heating oil spill cleanups, and which contain less than 1,000 ppm TPH may be blended with virgin materials and used as roadway subbase material. The contaminated soil shall be blended with virgin materials at a 3 to 1 ratio. The final mix shall contain no more than 250 ppm TPH on a weight basis of ingredients. The final mix shall be sampled per the protocol in Condition A.2.a and tested for TPH using method 8015. The blended soil must be utilized as a subbase material **only** and must be covered with either concrete or asphalt.

At no time shall the receipt, storage, processing or transferring of non-source separated construction and demolition material be allowed at this facility. The prohibition of this material shall be strictly enforced and any incident shall be considered a serious violation

to the conditions of this Approval.

2. Sampling Protocol and Testing for Unprocessed Contaminated Soils

- a. Collection, preservation, and handling for the sampling and analysis required in Conditions A.2 and A.3 must be performed in accordance with New Jersey's Technical Requirements for Site Remediation at N.J.A.C. 7:26E and the latest edition of "New Jersey Department of Environmental Protection, Hazardous Waste Programs, Field Sampling Procedures Manual". The Technical Regulations may be purchased from West Publishing at (800) 808-WEST. The sampling manual may be purchased from: NJDEP Maps and Publications, P.O. Box 402, Trenton, N.J. 08625. All analysis must be performed by a New Jersey certified laboratory.

All soils must be tested using the most current approved test methodology in accordance with USEPA SW-846.

- b. Petroleum contaminated soil shall be sampled either at the point of generation or at the recycling center. Soils from different generation sites shall be segregated at the facility until the sampling results are received. The sampling and analysis shall be implemented as follows:
  - i. Every 100 cubic yards of contaminated soil from each site shall be sampled and analyzed for TPH in the following manner: a representative sample from every 20 cubic yards shall be taken and these five samples shall be composited into one sample and analyzed. When the volume is less than 100 cubic yards, a representative sample of every 20 cubic yards, or a fraction thereof, shall be taken and these samples shall be composited into one sample and analyzed.
  - ii. Every 800 cubic yards of contaminated soil shall be sampled and analyzed for arsenic, cadmium, chromium, lead, mercury, nickel, and total volatile organic compounds (VOC), in the following manner: a representative sample from every 100 cubic yards shall be taken and these samples shall be composited into one sample and analyzed. When the volume is less than 800 cubic yards, a representative sample of every 100 cubic yards, or fraction thereof, shall be taken and these samples shall be composited into one sample and analyzed.
  - iii. The sampling results shall be used to determine the maximum contaminant feed rate or maximum contaminant concentration for the processing equipment in accordance with the Air Quality Permit and shall also demonstrate that the

material is non-hazardous for the above contaminants in accordance with N.J.A.C. 7:26G-8.5.

3. Sampling Protocol and Testing for Processed Material End Products

a. Processed material end products shall be sampled and analyzed for total petroleum hydrocarbons (TPH), total volatile organic compounds (VOC), and all contaminants listed in the Soil Cleanup Criteria (SCC) at N.J.A.C. 7:26E. The sampling procedure shall be implemented as follows:

i. Every 100 cubic yards of processed soil shall be sampled and analyzed for the above contaminants in the following manner: a representative sample from every 20 cubic yards of processed soil shall be taken and these five samples shall be composited into one sample and analyzed.

ii. Other levels of testing may be allowed on a case-by-case basis as determined by use criteria in accordance with Department guidance and regulations. Applications for case-specific testing requirements must be made to the Bureau of Landfill & Recycling Management.

b. The following criteria shall be used to determine the end use of the processed material made from soil or other pre-approved admixtures and the allowable contamination levels for each use:

i. For unrestricted general use:

200 ppm TPH and all individual organic contaminants less than or equal to 50% and inorganic contaminants less than or equal to 75% of the most stringent direct contact soil cleanup criteria (SCC) except as authorized in writing by the Bureau of Landfill and Recycling Management.

ii. Other levels of contamination may be allowed on a case-by-case basis as determined by use criteria and levels of contamination in accordance with Department guidance and regulations. Applications for case-specific Certificates of Authority to operate beneficial use projects pursuant to N.J.A.C. 7:26-1.7(g) must be made to the Bureau of Resource Recovery and Technical Programs before any use of the processed material end products.

Any processed material end products that do not meet the above criteria must be reintroduced to the treatment process for further treatment. After treatment, the

processed material end products must be reanalyzed in accordance with the above criteria.

All analysis records must be kept for a minimum of three years and made available for inspection by state and local officials upon request.

4. By-Products

Incidental amounts of rebar, metal, soil and other by-products which adhere to the Class B recyclable materials as specified in Condition A.1 and returned to the economic mainstream as raw material or products. Its receipt shall not be separately accounted for but its storage and end-markets shall be subject to specific conditions of this Approval.

5. Contaminants

The maximum amount of contaminants, as defined in N.J.A.C. 7:26A-1.3, allowed in each incoming load of Class B recyclable materials for acceptance shall be limited to 1% by volume.

Incidental by-product materials included within the Class B recyclable materials shall not be considered to be contaminants.

B. DESIGN AND CONSTRUCTION

The construction of this facility shall be in accordance with the provisions of N.J.A.C. 7:26A-1 et seq., the New Jersey Uniform Construction Code, the approved documents listed below and this Approval.

1. Approved Documents

- . Site Plan: prepared by Bettigole, Andrews & Clark Consulting Engineers, signed and sealed by William H. Skorton, P.E., New Jersey License No. 35795, dated February 1993, and last revised July 20, 1994, sheet 2 of 5.
- . Walter R. Earle Corporation, Application for Recycling Center General Approval, dated October 3, 1990.
- . Walter R. Earle Corporation, response to the February 11, 1991 deficiency letter, prepared and signed by Walter R. Earle II, dated February 22, 1991.
- . Walter R. Earle Corporation, response to the May 28, 1991 deficiency letter, prepared and signed by Walter R. Earle II, dated May 30, 1991.
- . Walter R. Earle Corporation, response to the March 8, 1992 deficiency letter, prepared and signed by Walter R. Earle



II, dated July 1, 1992.

- . Walter R. Earle Corporation, response to the July 30, 1992 deficiency letter, prepared and signed by Walter R. Earle II, dated February 23, 1993.
- . State of New Jersey, Department of Environmental Protection and Energy, Air Pollution Control Permit No. 1-92-2124, signed by Milton P. Polakovic, Chief Engineer, Air Quality Regulation Program, dated May 21, 1993.
- . Walter R. Earle Corporation, response to the June 2, 1994 deficiency letter, prepared and signed by Walter R. Earle II, dated July 7, 1994.
- . Walter R. Earle Corporation, request for modification, signed by Marianne Earle, dated February 20, 1997.
- . Walter R. Earle Corporation, request for modification, signed by Marianne Earle, dated June 6, 1997.
- . Walter R. Earle Corporation, Response to Technical Standards, prepared and signed by Douglas E. Ruhlin, Resource Management Associates, Inc., dated May 30, 1997.
- . Walter R. Earle Corporation, Submittal of Additional Information, prepared and signed by Douglas E. Ruhlin, Resource Management Associates, Inc., dated September 12, 1997.
- . Walter R. Earle Corporation, Request for modification of sampling requirements, prepared and signed by Douglas E. Ruhlin, Resource Management Associates, Inc., dated March 15, 1999.
- . Walter R. Earle Corporation, Request for renewal of approval, prepared and signed by Douglas E. Ruhlin, Resource Management Associates, Inc., dated October 25, 1999.

C. RECYCLING CENTER OPERATIONAL STANDARDS

The operation of this facility shall be in accordance with the provisions of N.J.A.C. 7:26A-1 et seq., the standards set forth herein and the approved documents specified in Condition B.1. Where any discrepancy exists, the terms of this Approval shall prevail.

1. Hours of Operation

Hours of operation for receiving, storing, processing or transferring source separated recyclable material as specified in Condition A.1 of this Approval shall be Monday through Saturday, 24 hours per day, closed on Sunday.

2. Residue

Residue defined as solid waste, shall be transported by a

NJDEP registered transporter for disposal pursuant to the applicable district solid waste management plan.

Residue shall be stored separately from recyclable material in containers and in a manner which prevents run-off, leakage or seepage from the residue storage area into, on or around the soil of the residue storage area. No residue shall be stored on site for a period exceeding six (6) months without prior approval of the NJDEP.

3. Maximum Daily Capacity

The Walter R. Earle Corporation recycling center may receive no more than 5,000 tons per day of recyclable materials as specified in Condition A.1 of this Approval.

4. Maximum Monthly Capacity

The Walter R. Earle Corporation recycling center may receive no more than 5,000 tons per month of recyclable materials as specified in Condition A.1 of this Approval.

5. Unprocessed Materials Storage

The total amount of unprocessed Class B recyclable materials stored on site shall not exceed 5,383 cubic yards. Unprocessed materials stored on site shall be stored only in those areas designated for that purpose as indicated on the approved site plan drawing.

If at any time, the amount of unprocessed material stored on site exceeds 5,383 cubic yards, the Walter R. Earle Corporation shall immediately cease receiving any unprocessed material until the amount of unprocessed material stored on site falls below 5,383 cubic yards.

Unprocessed recyclable material shall not remain on site, in its unprocessed form, for more than one (1) year.

6. By-Products Storage

By-products shall be stored in the container(s) or area(s) as depicted on the approved site plan and shall be removed off-site to the end markets as referenced in the approved documents.

7. Horizontal and Vertical Controls

Horizontal and vertical control points for the unprocessed and processed materials stockpile areas shall be set and maintained on site. Horizontal limitation markers shall be set at the corners of the stockpile areas as depicted on the approved site plan. Vertical limitation markers shall be set at locations in close proximity of the stockpile areas and shall clearly establish an elevation height of 22 feet above the existing grade for the unprocessed stockpile area.

Metal pipe or metal rods or the equivalent as approved by the Department shall be used to establish these control points.

8. Commingling

The Walter R. Earle Corporation may not receive, store, process or transfer source separated Petroleum Contaminated Soils (ID 27) with any other Class B recyclable materials.

9. Applicable Regulations

The operation and related activities of this recycling center shall be in conformance with all applicable federal, State, county, municipal and local statutes, rules and ordinance including but not limited to nuisance, noise, fire and safety codes.

10. Pinelands Commission Restrictions

In accordance with the settlement reached between the Walter R. Earle Corporation and the Pinelands Commission on March 16, 1993, the Walter R. Earle Corporation Recycling Facility may not receive more than 5,000 tons per month of petroleum contaminated soil, and may store a maximum of 7,000 tons of unprocessed soil on site at any given time.

11. Air Pollution Control Permit

All processing equipment shall be operated in a manner which is in compliance with any air pollution control permits issued pursuant to N.J.A.C. 7:27-8 and 7:27-22.

12. Material Coverage

All unprocessed petroleum contaminated soils, with the exception of the working pile, shall be covered with either six (6) inches of soil containing less than 1,000 ppm TPH, or a tarpaulin panel. If a tarpaulin panel is used, it must be manufactured with 16-mil woven fabric or equivalent, as approved by the Department.

13. Preparedness & Prevention & Contingency Plan

The preparedness and prevention plan and the contingency plan contained in the approved documents must be maintained on-site and updated as necessary.

14. Release Response

Upon detection of a release of contaminants to the environment the facility shall perform the following cleanup steps:

- . Stop the release;
- . Contain the released contaminants;

- . Clean up and manage properly the released contaminants and other materials; and
- . if necessary, repair or replace any leaking soil containment systems prior to returning them to service.

15. Closure

Upon closure of the facility the owner or operator shall remove and properly dispose of any remaining petroleum contaminated soils. The facility owner or operator shall also remove or decontaminate containment system components, structures, and equipment and analyze them to determine if they are hazardous waste under N.J.A.C. 7:26G-5. If any containment system components, structures, or equipment is determined to be a hazardous waste, it must be managed in accordance with the hazardous waste regulations at N.J.A.C. 7:26G-1 et seq.

16. Inspections

All equipment and portions of the facility designated for the storage or processing of petroleum contaminated soils shall be visually inspected each operating day for integrity and leaks.

Records shall be maintained for all visual inspections. These records shall document that inspections were performed, any problems found, and the subsequent correction of such problems. All records shall be kept for a minimum of three years.

17. Safety Procedures

The operation of the recycling center all be in conformance with the Occupational Safety and Health Act (OSHA) regulations as contained in the General Industry Standards 29 CFR 1910. Construction activities shall be in conformance with the OSHA regulations as contained in the Construction Industry Standards 29 CFR 1926. A copy of the safety procedures shall be posted on site.

18. Housekeeping

Routine housekeeping and maintenance procedures shall be implemented within the recycling center interior to prevent the accumulation of litter, dust and debris, and to maintain general cleanliness in the working environment.

19. Odor Control

The operation of this recycling center shall not cause any air contaminant, including an air contaminant detectable by the sense of smell, to be present in the outdoor atmosphere in such quantity and duration which is, or tends to be, injurious to human health or welfare, animal or plant life or property, except for malodorous emissions

emanating from the facility which result in odors in areas over which the owner and/or operator has exclusive use or occupancy.

20. Vector Control

The recycling center shall institute and maintain an effective vector control program at the center, directed by a qualified applicator of pesticides as set forth in the New Jersey Pesticide Control Code N.J.A.C. 7:30.

21. Dust Control

Dust shall be controlled by the spraying of water, the spreading of calcium chloride or equivalent means as approved by this Division.

22. Noise Control

Noise controls shall be implemented so that noise levels generated at the recycling operation shall not exceed the standards set forth by New Jersey State Noise Control Regulations under N.J.A.C. 7:29-1.2.

23. Fire Protection and Emergency Response

Fire fighting and emergency procedures shall be posted, and shall include the telephone number of local fire, police, ambulance and hospital facilities.

If a fire occurs on-site, the facility shall immediately notify the local fire official and within 24 hours report the incident to the DEP Hotline at 1-877-WARNDEP.

24. Entrance Sign

A legible sign shall be posted and maintained at the entrance to the recycling center and indicate the hours of operation of the recycling center as well as the following information:

- a. A listing of the approved recyclable materials as specified in Condition A.1 of this Approval.
- b. The size, weight or other restrictions regarding materials to be received.
- c. A notice that all vehicles delivering materials to be recycling center will be inspected, and if found to contain contaminants greater than 1% by volume, will be rejected.
- d. A notice that persons bringing materials to the recycling center shall complete and certify a materials receipt form.

25. Soil Tracking Control

Mud, soils or other materials shall not be tracked onto any public roads by any exiting vehicles. Effective measures shall be implemented to comply with this condition.

26. Site Access

Ingress and egress of the facility shall be restricted to Route 547 only.

27. Hazardous Waste

Any suspected or prohibited hazardous waste, as defined at N.J.A.C. 7:26G-5, found in a load accepted at the facility shall not be returned to the generator. Such materials shall be segregated and stored in a secure manner and shall be immediately reported to the N.J.D.E.P. Environmental Action Hotline at 1-877-WARNDEP. The owner/operator shall secure the name of the collector/hauler suspected of delivering such waste to the facility and related information surrounding the incident, if available, and shall make this information known to the Department's enforcement personnel.

28. Documents On-Site

A copy of the approved documents as referenced in Condition B.1 and a copy of this approval shall be maintained at the facility and shall be made available for inspection by Department personnel or its designated representatives.

29. End-Markets

All end-markets to which recyclable materials are transported from the recycling center shall remain consistent with those end-markets specified in the approved documents. Any modification in the actual end-market for a recyclable material specified in Condition A.1 shall be in conformance with N.J.A.C. 7:26A-3.10(f).

30. Right of Entry

The New Jersey Department of Environmental Protection shall have the right to enter and inspect, without prior notice, any building or other portion of the recycling center, or any other location of the company or its affiliated companies at any time.

This right to inspect includes, but is not limited to, the right to engage in the following activities:

- a. Sample any materials on site;
- b. Photographing or videotaping any portion of the recycling center;
- c. Investigating an actual or suspected source of pollution of the environment;
- d. Ascertaining compliance or non-compliance with the statutes, rules or regulations of the NJDEP, including conditions of the recycling center approval issued by the NJDEP; or
- e. Reviewing and copying all applicable records, which shall be made available to the NJDEP during an inspection and submitted to the NJDEP upon request.

#### D. RECORDKEEPING AND REPORTING

##### 1. Recordkeeping

In accordance with N.J.A.C. 7:26A-3.17, the Walter R. Earle Corporation shall maintain daily records of all materials received, stored, processed or transferred at the site. Said records shall be available at all times for inspection and shall indicate, at a minimum, the following:

- a. A daily record of the amounts of each recyclable materials by type and municipality of origin which are received, stored, processed or transferred each day, expressed in tons or in cubic yards. Those operators specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons.
- b. The name, address, and telephone number of the end-markets for all recyclable materials transported from the recycling center, including the amount, in tons or cubic yards, transported to each end-market. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons. NJDEP reserves the right to verify all end-market information submitted by the Walter R. Earle Corporation.
- c. The amount of residue disposed of, expressed in tons or cubic yards, including the name and the New Jersey Department of Environmental Protection solid waste registration number of the solid waste collector/hauler contracted to provide the haulage/disposal service. Those persons specifying the amount of residue in cubic yards shall also indicate the conversion ratio of residue from cubic yards to tons.

The Walter R. Earle Corporation shall retain the

information for three (3) calendar years following the calendar year for which reporting is required.

2. Reporting

a. Annual Report

In accordance with N.J.A.C. 7:26A-3.17, the Walter R. Earle Corporation shall submit an annual report containing monthly summary statements of the information required pursuant to Condition D.1 above to the New Jersey Department of Environmental Protection on or Before February 1 of each year, for the previous calendar year. The summaries shall include monthly totals of the amount of recyclable material received from each customer by the municipality of origin. Furthermore, the summaries shall include monthly totals of the amount of recyclable product transferred to each end-market. The summaries shall also include the amount of residue disposed of during each month. An annual fee will be paid to the Department on May 1, in accordance with N.J.A.C. 7:26-2.1(b)1;

b. Residue Disposal

The Walter R. Earle Corporation shall certify in writing to the Department that all residue generated at the recycling center has been disposed of in accordance with the solid waste management rules at N.J.A.C. 7:26. The certification shall be submitted annually as part of the annual report;

c. Tonnage Report

The Walter R. Earle Corporation shall provide a recycling tonnage report by February 1 of each year to all municipalities from which recyclable material was received in the previous calendar year. The report shall detail the amount of each source separated recyclable material, expressed in tons or cubic yards, brought to the recycling center. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons.

One original and one copy of the annual report and tonnage report shall be submitted to:

New Jersey Department of Environmental Protection  
Division of Solid and Hazardous Waste  
Chief, Bureau of Recycling & Planning  
P.O. Box 414  
Trenton, New Jersey 08625-0414

Failure to comply with any or all conditions of this Approval will result in the NJDEP seeking relief under the Solid Waste Management



Act, N.J.S.A. 13:1E-1 et seq. Specifically, each day of failure to so comply shall constitute a separate violation on the basis of which a penalty shall be assessed pursuant to N.J.S.A. 13:1E-9 and may subject the Walter R. Earle Corporation to regulation as a solid waste facility pursuant to N.J.S.A. 13:1E-1 et seq. and N.J.A.C. 7:26-1 et seq.

The issuance of this Approval and the conditions of operation identified herein shall not be interpreted as relieving the applicant of his responsibility to secure and maintain all other applicable federal, State and local permits or similar forms of authorization relating to the construction and operation of this facility.